

Exhibit 3

to

Defendants Soliman H.S. Al-Buthi and Perouz Sedaghaty's
Response to Declaration of Michael Elsner

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

<i>IN RE</i> TERRORIST ATTACKS ON SEPTEMBER 11, 2001)	MDL No. 1570
THOMAS E. BURNETT, SR., <i>et al.</i> ,)	
Plaintiffs,)	
v.)	C.A. No. 03 CV 9849 (RCC)
AL BARAKA INVESTMENT AND DEVELOPMENT CORPORATION, <i>et al.</i> ,)	
Defendants.)	

DECLARATION OF PEROUZ SEDAGHATY

I, Perouz Sedaghaty, this 28 day of May 2004, declare and state as follows:

1. I am over 18 years of age and competent to testify to the matters set forth below of my own personal knowledge.
2. I am a defendant (D60) in the above-captioned action. I am submitting this declaration in response to the plaintiffs' "Declaration of Michael E. Elsner" (May 25, 2004).
3. The Al Haramain Islamic Foundation, Inc. (U.S.A.) ("AHIF") maintains its business office at 3800 S. Highway 99, Ashland, Oregon. This building is a two-story structure, part of which was used for my household's residence, and part for AHIF's business operations.
4. AHIF maintained its books and records, and conducted its business, at this

address. This business included processing requests for publications, planning community outings and sessions, and hosting meetings. AHIF also had a reading room in this building, with books and magazines that could be borrowed or exchanged.

5. AHIF also has a large tented prayer house which was used for educational purposes and those interested in learning about Islam. This prayer house was also used for educational programs for local high school and college classes.
6. After the tragic events of September 11, 2001, I promptly condemned those attacks on my own behalf, and on behalf of AHIF. I met with two local FBI officers, at my invitation, at AHIF's office, to offer our assistance.
7. Also after the September 11 attacks, some anonymous persons started making and carrying out threats against AHIF, including gunshots. As a result, my lawyer and I met with the local law enforcement officers to report and discuss these threats. Ultimately, I had no choice but to lock the entry gate in order to protect the property from these trespassers and vandals.
8. After September 11, 2001, the local Muslim community continued to use the AHIF property, and obtained access by contacting me or a member of my household. I have informed the local community that they should feel free to use the prayer house. However, it is my understanding that they are fearful of using the prayer house because of the increased surveillance of the property and neighborhood, as well as potential threats against anyone seen using the prayer house.

9. In February 2003, I left Oregon to perform the Hajj in Saudi Arabia. In my absence, Friday prayers continued to be conducted. The community was welcomed and notified that the building was and always would be available for them to use for functions, educational, and interfaith activities, as previously. The gatherings for both Muslims and non-Muslims continued in my absence, but less frequently. In the meantime, several other individuals, including my personal attorney David Berger, have periodically checked the AHIF building and surrounding property as needed.

I declare, under penalty of perjury under the laws of the United States of America, that the foregoing is true and correct.

A handwritten signature in black ink, appearing to read 'Perouz Sedaghaty', is written over a horizontal line.

Executed on May 28, 2004.